

Prob 12 (Rev. 11/1/2004)

United States District Court

for the

DISTRICT OF MINNESOTA

United States v. Fabian Francisco Spears

Docket No. 0864 0:09CR00278-001(DWF)

Petition on Supervised Release

COMES NOW **Zachary Zwahl**, U.S. PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of **Fabian Francisco Spears** who was sentenced for Abusive Sexual Contact on May 26, 2010, by the Honorable Donovan W. Frank, who fixed the period of supervised release at Life, and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

- Participate in drug/alcohol treatment program
- No association with persons under age 18
- Sex offender/Predatory Offender registration
- Sex offender risk assessment and/or mental health treatment
- No contact with victim(s)
- Employment required

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

The sex offender treatment condition ordered at sentencing is not as comprehensive as the one currently utilized in the District. Additionally, the defendant has not been able to establish a reliable residence.

PRAYING THAT THE COURT WILL ORDER that conditions of supervision be modified to include the following:

The defendant shall participate in sex offender and/or mental health treatment as approved by the probation officer and shall submit to risk assessment which may include but is not limited to physiological testing and polygraph/truth verification testing. Polygraph testing may be used following completion of primary treatment as directed by the probation officer to monitor adherence to the goals and objectives of treatment. Sex offender assessments and treatment are to be conducted by a therapist approved in advance by the probation office.

The defendant shall reside for a period of up to 120 days in a residential reentry center as approved by the probation officer and shall observe the rules of that facility.

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RE: **Fabian Francisco Spears**
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ORDER OF THE COURT

Considered and ordered this 23rd day
of January 2024, and ordered filed
and made a part of the records in the above
case.

s/Donovan W. Frank
Honorable Donovan W. Frank
U.S. District Judge

I declare under penalty of perjury that
the foregoing is true and correct.

s/ *Zachary J. Zwahl*
Zachary J. Zwahl
Senior U.S. Probation Officer
Telephone: 612-664-5439

Executed on January 23, 2024
Place Minneapolis

Approved:

s/ *Dawn Arenz*
Dawn Arenz
Supervising U.S. Probation Officer
Telephone: 612-664-5407